IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

Bail Appl..No. 7097 of 2006()

CC.291/2006 of J.M.F.C.- I, DEVICULAM
O.R.NO.218/02 OF MARAYOOR FOREST STATION

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PETITIONER/PETITIONER/ACCUSED

ROBIN, S/O. JOY,
KALLUMKAL HOUSE, KARASANADU BHAGAM,
KANTHALLOOR VILLAGE, DEVIKULAM TALUK.

BY ADV. SMT.JAYASREE MANOJ

RESPONDENTS: RESPONDENT/COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, REPRESENTING
THE DEPUTY RANGER, MARAYOOR FOREST STATION.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 7097 OF 2006

DATED THIS THE 30th DAY OF NOVEMBER, 2006

O R D E R

Petitioner, who is the first accused in O.R.No.218/02 of Marayoor Forest Station for offences punishable under sections 27(1)(iii) and (iv) of the Kerala Forest Act for allegedly sawing down a sandal tree from the Marayoor Forest Range, seeks bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.419/03 on the file of J.F.C.M., Devikulam, the case as against him was split up and is presently pending as C.C.No.291/06. Even though the petitioner filed an application for bail before the trial court as well as before the Sessions Court, Thodupuzha, those applications were dismissed taking note of the fact that he had been absconding.

3. Now that C.C.No.219/06 against the petitioner is taken up for trial and having regard to the fact that the co-accused in the case have already been acquitted, I see no reason why the petitioner should remain in custody. But at the same time, he should make himself available during the trial of the case.

4. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.15,000/= (Rupees Fifteen Thousand only), within 10 days from today,with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Devikulam and subject to the following conditions.

1. The petitioner shall not commit any offence while on bail.

2. The petitioner shall appear before the trial court on all the postings of the case.

This bail application is allowed as above.

V.RAMKUMAR, JUDGE

dsn